

ASSEMBLY BILL

No. 1341

Introduced by Assembly Member Morrell

February 22, 2013

An act to amend Section 54954 of the Government Code, relating to public meetings.

LEGISLATIVE COUNSEL'S DIGEST

AB 1341, as introduced, Morrell. Public meetings.

Under the Ralph M. Brown Act, all meetings of a legislative body of a local agency, as defined, are required to be open and public. The act requires each legislative body of a local agency, with exceptions, to provide, by ordinance or other specified action, the time and place for holding regular meetings.

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 54954 of the Government Code is
- 2 amended to read:
- 3 54954. (a) Each legislative body of a local agency, except for
- 4 advisory committees or standing committees, shall provide, by
- 5 ordinance, resolution, bylaws, or by whatever other rule is required
- 6 for the conduct of business by that body, the time and place for
- 7 holding regular meetings. Meetings of advisory committees or
- 8 standing committees, for which an agenda is posted at least 72

1 hours in advance of the meeting pursuant to subdivision (a) of
2 Section 54954.2, shall be considered for purposes of this chapter
3 as regular meetings of the legislative body.

4 (b) Regular and special meetings of the legislative body shall
5 be held within the boundaries of the territory over which the local
6 agency exercises jurisdiction, except to do any of the following:

7 (1) Comply with state or federal law or court order, or attend a
8 judicial or administrative proceeding to which the local agency is
9 a party.

10 (2) Inspect real or personal property ~~which~~ *that* cannot be
11 conveniently brought within the boundaries of the territory over
12 which the local agency exercises jurisdiction provided that the
13 topic of the meeting is limited to items directly related to the real
14 or personal property.

15 (3) Participate in meetings or discussions of multiagency
16 significance that are outside the boundaries of a local agency's
17 jurisdiction. However, any meeting or discussion held pursuant to
18 this subdivision shall take place within the jurisdiction of one of
19 the participating local agencies and be noticed by all participating
20 agencies as provided for in this chapter.

21 (4) Meet in the closest meeting facility if the local agency has
22 no meeting facility within the boundaries of the territory over
23 which the local agency exercises jurisdiction, or at the principal
24 office of the local agency if that office is located outside the
25 territory over which the agency exercises jurisdiction.

26 (5) Meet outside their immediate jurisdiction with elected or
27 appointed officials of the United States or the State of California
28 when a local meeting would be impractical, solely to discuss a
29 legislative or regulatory issue affecting the local agency and over
30 which the federal or state officials have jurisdiction.

31 (6) Meet outside their immediate jurisdiction if the meeting
32 takes place in or nearby a facility owned by the agency, provided
33 that the topic of the meeting is limited to items directly related to
34 the facility.

35 (7) Visit the office of the local agency's legal counsel for a
36 closed session on pending litigation held pursuant to Section
37 54956.9, when to do so would reduce legal fees or costs.

38 (c) Meetings of the governing board of a school district shall
39 be held within the district, except under the circumstances
40 enumerated in subdivision (b), or to do any of the following:

1 (1) Attend a conference on nonadversarial collective bargaining
2 techniques.

3 (2) Interview members of the public residing in another district
4 with reference to the trustees' potential employment of an applicant
5 for the position of the superintendent of the district.

6 (3) Interview a potential employee from another district.

7 (d) Meetings of a joint powers authority shall occur within the
8 territory of at least one of its member agencies, or as provided in
9 subdivision (b). However, a joint powers authority ~~which~~ *that* has
10 members throughout the state may meet at any facility in the state
11 ~~which~~ *that* complies with the requirements of Section 54961.

12 (e) If, by reason of fire, flood, earthquake, or other emergency,
13 it shall be unsafe to meet in the place designated, the meetings
14 shall be held for the duration of the emergency at the place
15 designated by the presiding officer of the legislative body or his
16 or her designee in a notice to the local media that have requested
17 notice pursuant to Section 54956, by the most rapid means of
18 communication available at the time.